



Republic of the Philippines
Province of Ilocos Sur
City of Vigan



OFFICE OF THE SANGGUNIANG PANLUNGSOD

**THIRD CITY COUNCIL
ORDINANCE NO. 03
SERIES OF 2009**

AN ORDINANCE REGULATING THE SALE, DISTRIBUTION, POSSESSION AND USE OF FIRECRACKERS, PYROTECHNIC DEVICES AND OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF VIGAN CITY.

WHEREAS, in the past five (5) years, the City of Vigan has experienced incidents which resulted to loss of properties and lives due to irresponsible and indiscriminate use of firecrackers and pyrotechnic devices;

WHEREAS, there is a need for us to take great steps to regulate the use of firecrackers in order to minimize, if not to eradicate accidents that might result to loss of the City's ancestral heritage treasures;

WHEREAS, our social and cultural practice of using firecrackers and pyrotechnics must be regulated in order to achieve social stability

WHEREFORE, the Sangguniang Panlungsod in session duly assembled;

SECTION 1. TITLE. AN ORDINANCE REGULATING THE SALE, DISTRIBUTION, POSSESSION AND USE OF FIRE CRACKERS, PYROTECHNIC DEVICES AND OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF VIGAN CITY.

SECTION 2. OBJECTIVE. It is the objective of this ordinance to regulate the sale, distribution, possession and use of firecrackers and other pyrotechnic devices consistent with, and in furtherance of public safety, order, and security laws, as well as the enhancement of cultural traditions.

SECTION 3. TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES ALLOWED IN THIS ORDINANCE

A. Firecrackers

- 1. Baby Rocket** – A firecracker with a stick so constructed that a lighting of the wick will propel the whole thing to lift a few meters before exploding. The firecracker is about 1 ½ inches in length by 3/8 inches in diameter while the stick is about a foot in length
- 2. Small Triangulo** – A triangle shape firecracker with powder content less than the bawang and usually wrapped in brown paper measuring ¾ inch length in its longer side
- 3. Pulling of Strings** – A firecracker with a small tube about an inch in length and less than ¼ of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode.
- 4. Paper Caps** – Minute amount of black powder spread in either small strips of paper on a small sheet used for children's toy guns

5. **El Diablo** – Firecracker tubular in shape about 1 ¼ inches in length and less than ¼ inches in diameter with a wick; this is also known as labintador;
6. **Judah's Belt** – A string of firecrackers consisting of either diablos or small triangulos that can number up to a hundred or thereabout and culminating in large firecracker usually a bawang;
7. **Sky Rocket (kwitis)** – A large version of a baby rocket designed to be propelled to a height of forty (40) to fifty (50) feet before exploding;
8. **Other types equivalent to the foregoing in explosive content**

B. Pyrotechnic Devices:

1. **Sparklers** – Pyrotechnic devices usually made of black powder on a piece of wire or inside a paper tube designed to light up and glow after igniting;
2. **Luces** – Any of several kinds of sparklers;
3. **Fountain** – A kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
4. **Jumbo regular and special** – A kind of sparkler similar to a “fountain” but bigger in size;
5. **Mabuhay** – Sparklers bunched into a bundle of a dozen pieces
6. **Roman Candle** – A sparkler similar to a “fountain” but shaped like a big candle;
7. **Trompillo** – A pyrotechnic device usually fastened at the center and designed to spin first clockwise and then counter-clockwise and provides various colored lights upon being ignited;
8. **Airwolf** – A kind of sky rocket shaped like an airplane with a propeller to rise about forty (40) or fifty (50) feet and provide various kinds of lights while aloft;
9. **Whistle Device** – Any of the various kinds of firecrackers or pyrotechnics designed to either simply emit a whistle-like sound and explode afterwards upon being ignited;
10. **Butterfly** – A butterfly-shaped pyrotechnic device designed to lift above ground while providing light;
11. **All kinds of pyrotechnic devices (pailaw); and**
12. **Other types equivalent to the foregoing devices.**

SECTION 4. PROHIBITED TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES.

The sale, distribution and use of any firecrackers and pyrotechnic devices not mentioned in Section III, with explosive content that could endanger life and limb, such as but not limited to atomic big triangulo and super lolo and their equivalent are strictly prohibited. Determination of what constitutes prohibited firecrackers and pyrotechnics in relation to this Ordinance shall be vested with the Head of the Bureau of Fire Protection of the City.

SECTION 5. LICENSE AND PERMIT REQUIREMENTS.

- a. License and permit to sell, and distribute firecrackers and pyrotechnic devices shall only be granted if the same shall be in accordance with Section 3 of this Ordinance. In no case that a license and permit to sell shall be issued for the sale and distribution of firecrackers and pyrotechnic devices and provided for under Section 4 hereof.
- b. Wholesalers and dealers of firecrackers and pyrotechnic devices shall comply with all the requirements of the Firearms and Explosive Division of the Philippine National Police.
- c. Wholesalers, dealers and retailers of firecracker and pyrotechnic devices shall be required to secure a Special Business Permit and to pay a reasonable amount of three thousand pesos (P3,000.00) for the privilege of engaging in the selling of

firecrackers and to defray the cost of its regulation. This is without prejudice to the regular Mayor's Permit to be issued.

SECTION 6. QUALIFICATIONS OF RETAILERS AND DEALERS

A License or permit to deal in wholesale or retail of firecrackers and pyrotechnic devices shall be issued only to the following:

1. Corporations or partnerships, 60% of ownership shall be of Filipinos
2. Single proprietorship, who shall be a Filipino citizen of good moral character;
3. The entity must be licensed and registered with the Department of Trade and Industry;
4. The entity shall be certified by the Bureau of Fire Protection as to their compliance with Republic Act 7183;
5. Permits secured with the Firearms and Explosives Division of the PNP shall be non-transferable.

SECTION 7. RESPONSIBLE USE AND SAFETY GUIDELINES

Strict compliance to the following safety precautions shall be observed by all the wholesalers, retailers, and users of firecrackers and pyrotechnic devices;

- A. The City Chief Executive shall, upon the recommendation of the Bureau of Fire, Philippine National Police and the Public Safety Division, designate a zone for the exclusive selling of firecrackers and pyrotechnic devices during yuletide season.
- B. Within the area of designated zone, no testing and use of the firecrackers shall be allowed and its use will be strictly prohibited
- C. Selling hours in the zone shall be strictly regulated. They shall only be allowed to operate from 8:00 in the morning to 8:00 in the evening except on December 24 and 29 where they shall be allowed to open up to 11:00 in the evening. Selling of firecrackers and pyrotechnic devices during the yuletide season shall only be for a limited number of days the commencement of which shall be on the 15th of December up to the 31st of the same month.
- D. Inventory of firecrackers and pyrotechnic devices to be sold in the zone shall only be limited to 50 kilos at anytime during the selling period. Anything in excess shall be stored in their registered bodegas, registered and inspected by the Bureau of Fire Prevention.
- E. Selling of firecrackers and pyrotechnic devices to minors shall be strictly prohibited.
- F. Minors shall also be prohibited to handle and use of any firecrackers and pyrotechnic devices.

SECTION 8. CORE ZONE. The use of firecrackers and pyrotechnic devices shall be strictly prohibited within the core zones of the City as defined in the Vigan Conservation Code.

SECTION 9. SPECIAL CASES. Any person or entity desiring to use firecrackers or pyrotechnic devices by reason of traditional and cultural practices, the said parties shall apply for a permit as provided for in Section 364 of the Vigan City Revenue Code as amended.

SECTION 10. PENALTIES. Any person or entity who shall sell, distributes and use firecrackers and other pyrotechnic devices in violation of this Ordinance shall be penalized in the amount of five thousand pesos (P5,000.00) and/or 30 days imprisonment or both at the discretion of the court. In addition, any violation of any of the provisions of this Ordinance shall cause the cancellation of the entity's business license and the confiscation of their inventory. In the case of minors, the penalty for minors as defined in the Vigan City Youth Code shall apply.

SECTION 11. SEPARABILITY CLAUSE. Should any portion of this Ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, the portions not so declared shall remain in full force and effect.

SECTION 12. REPEALING CLAUSE. All existing ordinances, inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly

SECTION 13. EFFECTIVITY. This ordinance shall take effect 15 days after its publication and posting.

ENACTED on June 01, 2009.

(Sgd.)
FRANCISCO P. RANCHES, JR.
City Vice Mayor & Presiding Officer

(Sgd.) LOURDES DG BAQUIRAN.
Sangguniang Panlungsod Member

AUDIE Q. AGDAMAG
Sangguniang Panlungsod Member

(Sgd.) GEORGE J. VILLANUEVA
Sangguniang Panlungsod

(Sgd.) HENRY A. FORMOSO
Sangguniang Panlungsod Member

(Sgd.) EVERIN F. MOLINA
Sangguniang Panlungsod Member

(Sgd.) ANDRES A. ADRIATICO
Sangguniang Panlungsod Member

(Sgd.) HERMENIGILDO A. APELIN
Sangguniang Panlungsod Member

(Sgd.) LORETO A. QUIBILAN
Sangguniang Panlungsod Member

(Sgd.) MAXIMO M. ALVES
Sangguniang Panlungsod Member

(Sgd.) BENEDICTO JOSE P. VERZOSA
Sangguniang Panlungsod Member

(Sgd.) JOHN PATRICK A. SINGSON
Sangguniang Panlungsod Member

EDREEN JEREMIAH F. PAJARO
Sangguniang Panlungsod Member

Attested:

(Sgd.) JAYSON P. AVILA
Secretary to the Sangguniang Panlungsod

Approved:

(Sgd.) EVA MARIE S. MEDINA
City Mayor